

AMENDED
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

No. 60617

Date of filing in State Engineer's Office OCT 28 1994

Returned to applicant for correction _____

Corrected application filed DEC 06 1994

Map filed DEC 06 1994

The applicant Miller and Wood Ranch Company

3801 Allen Road, of Bakersfield
Street and No. or P.O. Box No. City or Town

California 93312-3444, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) a California general partnership of
Mr. Kenneth Miller and David Wood

1. The source of the proposed appropriation is Devils Gate Well #1
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 3.0 c.f.s. (1,347 g.p.m.) second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet _____

3. The water to be used for irrigation
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated approximately 1280 acres

(b) Stockwater, state number and kinds of animals to be watered _____

(c) Other use (describe fully under No. 12. "Remarks") _____

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point within Lot 4, Section 1, T.37N.,
R.57E., MDM, from which the NW corner of said Section 1 bears N. 26° 46' W., 1,428
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
ft. dist.

6. Place of use portions of: Lot 2 and W $\frac{1}{2}$ Section 1, E $\frac{1}{2}$ Section 2, Section 11 and W $\frac{1}{2}$ W $\frac{1}{2}$
Section 12, T.37N., R.57E., MDM.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about April 1 and end about October 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled well, casing gravel packing; turbine
pump and motor; distribution pipelines to existing ditches
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works..... well drilled; pump and motor cost est. \$25,000.00

10. Estimated time required to construct works..... one year; well work completed approximately
If well completed, describe works.
1949; testing will be necessary to determine production.

11. Estimated time required to complete the application of water to beneficial use..... five years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Applicant wishes to supplement irrigated lands under Humboldt River proof
#00576 with water from this source in seasons of deficient stream flows.
Please send copies of notices and correspondence to undersigned agent.

Compared..... pm/jk cl/bk By..... s/William A. Nisbet
421 Court Street
Elko, Nevada 89801
1/13/95 by: Pershing County Water Conservation District of Nevada
 Protested.....

APPROVAL
 OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.0 acre-feet seasonally, and not to exceed a seasonal duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before..... December 1, 1998

Proof of completion of work shall be filed before..... January 1, 1999

Application of water to beneficial use shall be filed on or before..... December 1, 2001

Proof of the application of water to beneficial use shall be filed on or before..... January 1, 2002

Map in support of proof of beneficial use shall be filed on or before..... January 1, 2002

Completion of work filed..... NOV 29 2001

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my
 office, this 1st day of December,

A.D. 1997

R. Michael Turnipseed P.E.
 State Engineer

(PERMIT TERMS CONTINUED)

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

